

The Daily News.

NEWPORT.

BY CRANSTON & NORMAN
144 THAMES STREET.

MONDAY MORNING, MARCH 12, 1855.

WANTED.
AN INTELLIGENT boy, of steady habits, to learn the printing business, to whom a good situation will be given; apply at this office immediately.

Whig Nominations.

For Governor,
WILLIAM W. HOPPIN,
of Providence.

For Lieut. Governor,
JOHN J. REYNOLDS,
of North Kingstown.

For Secretary of State,
WILLIAM R. WATSON,
of Providence.

For Attorney General,
CHRISTOPHER ROBINSON,
of Cumberland.

For General Treasurer,
SAMUEL B. VERNON,
of Newport.

As we have waited patiently with the expectation of a call for a Whig Convention to nominate State officers for the ensuing year; but no call has yet been made. The election will take place in about three weeks, and as we still fight under the good old Whig flag, we propose to take the matter into our own hands, and therefore place at the head of our columns this morning the names of the gentlemen who have served the State so faithfully during the past year in the respective offices to which they were then elected. They are good men and true, and are entitled to the vote of every Whig. Should a Whig Convention be called hereafter, and make any change in the candidates, of course we shall support the nominees, whoever they may be.

The Supreme Court adjourned Friday evening, having disposed of all the business on the Docket. In the case of Robert S. Barker, indicted for an alleged violation of the Maine Law, the jury returned a verdict of guilty, to the surprise of every one who attended the trial. The verdict was contrary to the charge of the Court and the testimony in the case, and reflects no credit upon the intelligence of the jurors, or their capacity to discharge jury duty according to law and the evidence given. Motions were filed in arrest of judgment, and the case continued until the next term.

John M. Brown, Esq., and Asa Kimball, sons of James Hammond and Stephen Hammett, and sentenced to two years each in the State Prison. Edward Macomber pleaded guilty of stealing money and goods from the store of Mr. Sisson, in Portsmouth, and was sentenced to six years in the Reform School in Providence. John Sanders was convicted of a violent assault upon his wife, and sentenced to six months in the Providence county jail. Sheriff Lake will take the prisoners to their respective destinations by the boat this morning.

The members of the Artillery Company had a very pleasant party at their Army, on Wednesday evening; many of the officers and other members were present, in uniform. Many beautiful ladies were in attendance, and all appeared to enjoy themselves. It was entirely a social party, and consequently all the more pleasant. The music was good, and the dancing was participated in by nearly all with much spirit and pleasure. We learn that the Company contemplate having more of these delightful social gatherings. Gentlemen are connected with the Company are admitted on the payment of a small admission fee.

Mr. Capron's Dancing School, which has been continued during the winter, closed at Masonic Hall, on Monday evening last, and was attended by all the scholars, and a large number of others, among whom were many of his pupils of former years. The music was excellent, and the dancing was continued until nearly morning. The ladies were neatly and very tastefully dressed. It would be a difficult matter to name the belle of the evening, because all appeared unusually well. We particularly noticed the following:—Mrs. T., Mrs. S., Miss B., Miss A. B., Miss L. C., Miss M. B., Mrs. C., Miss M. B., Miss A. G., Mrs. W. Miss G. A., Miss C., Miss J. S., Miss P., Miss C. S. Many others might be named, but want of space forbids. All were natural and easy, and the ladies were as brilliant as the occasion was delightful.

On and after to-day the Fall River steamers will leave New York at 5 o'clock instead of 4, as heretofore.

Families who have occasion to use liquors for medicinal purposes, will find choice qualities at Stanhope's store in Broad street; Mr. John T. Stanhope is one of the legally appointed agents for the sale of liquor for such purposes.

(From Providence Journal.)
The Supreme Court—Newport County.

WEDNESDAY, March 7, 1855.

The proceedings of the Court yesterday may be stated in a few lines. Saying merely that the Court assembled at the usual hour; that divers motions of no interest to any but the parties and their counsel, were heard and disposed of according to law or justice; and that some half dozen mal-content husbands or wives were "put asunder" according to the statute made and provided by the General Assembly; I may, without fear of rebuke from you or complaint on the part of any Providence county reader, proceed to speak of the doings of today.

The first case called for trial by the jury this morning, was that of Charles Potter, of Providence, vs. Stockford E. Tilley, of Middletown, R. I., an action of the case on promises, to which the general issue was pleaded. The facts were these:—The defendant by a proper written instrument under date of June 30, 1853, empowered Mr. Alfred Smith, real estate broker, to make sale of a certain farm of his for \$20,000, and in pursuance of this appointment Mr. Smith entered into a negotiation with the plaintiff, Potter, the result of which, July 14, 1853, is shown by the receipt exhibited, of which the following is a copy:

"Received, Newport, 14th July, 1853, from Charles Potter, Esq., \$500, on account of my farm, &c., in Middletown, R. I., which I this day have sold him (through my authorized agent, Alfred Smith,) for \$20,000—\$2000 (including the \$500 above) is to be paid within thirty days; \$3000 more in November next, when a satisfactory deed and title will be given. The remaining \$10,000 may be on bond and mortgage on the property for three years, with interest, payable semi-annually."

The plaintiff in this action, alleges that defendant has failed to make a conveyance pursuant to this contract, and therefore claims judgment for the \$500 paid on account, and interest, as incontrovertibly his right; and also damages for a loss of profits to a large amount, contending that inasmuch as the defendant (as the plaintiff alleges) was, in fact, at the date of the contract and subsequently, unable from the peculiar position of the property under his father's will, to make a good title to the plaintiff, the plaintiff was not bound to make payment or tender of the \$1500 within thirty days, or of the \$3000 in November as conditions precedent to his right of action. Sheffield for the plaintiff.

Wm. H. Potter, for the defendant, contended that payment or tender of payment of the two sums last named, was essential to plaintiff's right of action; and further, that inasmuch as there was no ground to impute ill faith to the defendant, and as the plaintiff (as defendant alleges) before the defendant's title, and omitted to stipulate for a warranty deed, he was bound to perform strictly whatever the contract required him to do, and prove defendant's refusal to make and deliver a deed of the estate in November, before he could claim even a return of the \$500 advanced, assuming for the moment that defendant had received that sum. That this sum had been received by the defendant he denied to be true, according to the evidence.

Mr. Smith, the broker, was examined as a witness by the defendant, mainly with a view to show that he was the agent of the plaintiff as well as of the defendant. His testimony, however, tended to show that as respects the plaintiff, he was a "sort of agent, and sort of not; but rather sort of not than sort of"; at least it was manifest that he was adverse to admitting that he was in any sense the agent of the plaintiff. It did appear, however, that he himself wrote the receipt exhibited, received it from the defendant, delivered it days or weeks after its execution to the plaintiff, and also, on behalf of the plaintiff laid down before the defendant, at the execution of the receipt, as the \$500 named in it, a check of a third person for that sum, which belonged to the plaintiff. Nor this only; for further it appeared that this check thus laid down he immediately took up, against the expressed wish of the defendant, as his (the witness's) commissions upon the sale, (2 1/2 per cent. by contract,) leaving with the defendant his receipt for said commissions.

The Court (Justice Brayton and Bosworth) intimating that their view of the law coincided with that of defendant's counsel upon an essential point presented, the plaintiff's counsel contended that a verdict for the defendant be rendered; subject, of course, to a right on his part to except to the ruling and obtain, if found entitled to it, a new trial. A verdict for defendant was accordingly rendered.

The Grand Jury made return of the "true bill" found by them, four only in number, and were discharged. Two of these were for theft, each of them against John M. Donnelly and Asa Kimball, jointly. They pleaded not guilty, and were committed for trial. Another was against a John Saunders, of Newport, for assault and battery upon Ellen Saunders, his wife, to which not guilty was pleaded in manner most emphatic. John, son, was committed for trial, no friend in need appearing as recognizer for his appearance. The fourth was against Edward Macomber, of Portsmouth, for breaking into a store and stealing. He was a lad about 14 years old, and, wisely

declining to contend with the State, was sentenced to the Reform School for six years.

The Grand Jury, as I learn from an authentic source, refused to find a bill against one Eliza Ann Moulton, who has been in confinement for several months under a charge of murdering her mother in September last by administering to her poison. The jury, as I learn, were satisfied that the poor girl was insane. Whether they required any other evidence of this, than the known fact that she was a *spiritual medium* I have not deemed it material to inquire. Almira Beazely, tried for murder in Providence, two or three years since, you remember, was also a *medium*. The *petit jury*, I suppose, adjudged her insane, and therefore acquitted her.

The case next called to the jury, was that of John Higgins vs. John S. Cotton et al., owners of whaling bark Ariel, of Fall River. The action was trespass on the case; plea general issue. It was commenced in the Court of Common Pleas where judgment was submitted without trial, and appeal taken to this Court. Sheffield for plaintiff, F. A. Boomer for defendants.

The plaintiff claimed damages because defendants "inveigled and enticed" his minor son to ship for a whaling voyage, whereby for fourteen months the father was deprived of his services, worth to him, as he claimed, some \$25 or \$30 per month.

After the plaintiff's evidence was in, the counsel for the defendant moved for a nonsuit on the ground that plaintiff's declaration did not contain all the averments which it should contain,—and more especially that in support of certain essential averments which it did contain, the plaintiff had omitted to exhibit a *scintilla* of proof. The authorities cited were in number, weight and pertinency, so formidable, that the plaintiff's counsel asked time to examine, and, if he might, overthrow or explain them.—and the Court, the usual hour of adjournment being nigh at hand, dismissed the jury until morning, then to resume the consideration of the motion pending.

REPORTER.

Newport, March, 10th, 1855.

Mr. CRANSTON, Sir.—It being currently reported that I was a juror in the case of R. S. Barker, Esq., I take this method to contradict the statement. I am not subject to the jury box, being a member of the bar department. I was present at the trial of Mr. B., and was much astonished at the verdict, as were most all others who were present to hear the testimony.—Please insert the above and oblige

Yours truly,
HENRY H. YOUNG.

It was Henry Young, of the firm of Young & Smith, who was upon the jury in the Barker case, where such an extraordinary verdict was rendered.

Bankrupt on a Retreat.—The New York says:

Bancroft's Historical Discourse is out at last, but if you look into it for the objectionable passages so severely handled by the press at the time of its delivery, you will not find them, nor the least indication that they ever existed! Now such a change is explained on two hypotheses only: either that the author was not in earnest when he uttered the suppressed sentiments, and so expunges them without remorse, or he was in earnest, and has been discouraged in the maintenance of them by adverse criticism. He vouchsafes no explanation. Perhaps this is not the heroic age of American literature.

The suspension bridge over the Niagara a little below the Falls, was passed over yesterday afternoon, by the locomotive "London," with a tender attached.—There were a number of invited guests who are enabled to say that they were the honored persons who first passed over that mighty structure, which connects the United States and Canada by steam power.

The Washington telegraphic despatch of the Courier says that Col. Kinney has resigned his commission as captain General of the Central American Colonization Company. W. Cost Johnson, temporary president, has also resigned, and Ex-Senator Cooper has been appointed with full powers.

Diplomatic Gratifications.—A grant of \$20,000 was made to Commodore Perry by Congress for the successful negotiation of the Japan treaty. Extra compensation was also granted to Mr. Schenck, for the treaties which he negotiated without the limits of the country to which he was accredited. This, however, was not a gratuity, but an allowance demanded by precedent, and to which Mr. Schenck was entitled as a matter of pay. The treaties negotiated by Mr. Schenck have secured the rights of person and property to over a thousand citizens of the United States settled in those regions, and opened to us the navigation of the Rio de la Plata, one of the most important rivers in the world, already yielding to us a large trade.—*Prov. Jour.*

Old Bull has made a failure in his opera management in New York. Nine artists were engaged at an average of nearly \$7000 per month, and not more than five of them could be made useful on any one night. The Herald says it is like the manager of a theatre engaging ten Hamlets and only one Horatio.

BY TELEGRAPH.

Boston, March 9.

At South Gardner, Worcester County, on Wednesday night two elderly ladies, sisters to the late Abner Kneeland, were murdered in the house where they lived alone, as is supposed by persons who were after money.

From the appearance of their heads they had been beaten with clubs and stones until life was extinct. The house was then completely ransacked. A vagrant Frenchman has been arrested on suspicion of having committed the deed.

Washington, March 9.

Among the important measures introduced at the close of the thirty-third Congress was a bill to repeal the neutrality laws by Senator Brown of Mississippi.

He proposed to repeal such sections of the law as restrained our citizens from giving "aid and comfort" to the people of Cuba.

Ex-governor Brown says the Spaniards in Cuba have insulted our flag; imprisoned our people; searched our ships; pillaged our mails; and yet the Government has not moved under these circumstances. He is for "letting slip the Dogs of War" in the shape of filibusters.

Baltimore, March 9.

The New Orleans papers of Saturday last received here this morning contain Texas dates to the 28th ultimo. The Galveston News had received intelligence of the passage by Congress of the Texas debt bill, and expresses a decided opinion that the bill will be accepted by Texas by almost a unanimous vote.

At a camp-meeting, last summer, not more than fifteen hundred miles from Boston the trumpet had called the congregation together, but a crowd of officers and rowdies stood outside the range of seats and would not come in. The presiding elder invited them twice with no effect. Then, after singing a hymn, he turned to the crowd and said—"As many of you as have not got the itch or small pox, or any other cutaneous disease, we shall be glad to have come forward. All others will remain outside."—No one was left out.

Robert Mills, so widely known as the architect of the Treasury Department, Post Office and Patent office buildings, died at his residence in Washington, on Friday morning.

BOUNTY LANDS.

To all who have been in the Naval or Military service of the United States since 1790, granted by

THOMAS PEMBER,

No 15 DORSET STREET, Boston.

Congress has passed "The Old Soldiers' Bounty Land Bill" which grants 160 acres to all soldiers who served above for a period exceeding 14 days, and to the widows or minor children of such as are deceased. The advertiser will give prompt attention to all cases of this description, and possess a usual facilities for their speedy settlement.

50 Bbls Baltimore Flour (J. H. Ford Ex.) 25 do Richmond do. 25 Bbls Genl for sale by J. H. & G. W. PERKY.

A FRESH lot of table Apples, this day rec'd at 112 CARR'S, 171 Thames-st.

ORANGES and Lemons, this day rec'd at 112 CARR'S, 171 Thames-st.

TO LET.

Two flat, furnished for the Season, a large and convenient house; apply at 15 Division-st.

NEW MUSIC.

THE Lilly Belle, Song by Lydia B. Smith. Merry in the Greenwood, words by Chas. Jefferys, Music by Oliver.

Allies' Grand March, by Chas. Henry Swing.

The Twenty Four Senses in One, Nay, Speak No Ill, Halld.

The Graves of a Household, Poem by Miss Hemans.

The Flag that Bowed a Century Years, Music by S. Nelson.

The Original Copy of "I Have Something Sweet to Tell You," or "Talk in My Sleep," words by Mrs. Frances S. Osmond, Music by Chas. C. Converse. For sale by

C. E. HAMMETT, Jr., 124 Thames-st.

TO LET,

and immediate possession given.

HOUSE No. 47 Thames-st., next north of the residence of the subscriber, with large garden, well, cistern, &c., attached. For terms, apply to

S. T. NORTMAN.

TO LET.

FOUR HOUSES TO LET, furnished for the Summer; for particulars enquire of

WM. S. VOSE.

NEW BOOKS.

A HISTORY of the Earth, and Animated Nature, by Oliver Goldsmith—Spirit Manifestations, by A. Bullock—(Gleanings from the Forest for Home and School)—Pictorial Book of Ballads, London Edition—Spectator, by Addison. At J. WARD, 99 Thames-st.

WOVEN Shirt Fronts, Linen and Cotton Thames street, corner of Mary.

TO LET.—The Mansion House in Broad St. belonging to the heirs of Dr. John P. Mann, dead, may be rented upon application to the subscriber, and possession obtained on or about the 1st of May.

EDWARD W. LAWTON, Act'g Ex'r.

SNUFF AND TOBACCO.

PETER LORILLARD, Manufacturer.

No. 42 CHATHAM STREET, New-York.

Successor of Peter & George Lorillard, offers for sale all kinds of SNUFF and TOBACCO, in quantities to suit. For particulars, a Price Current can be obtained by addressing as above. This Establishment is one of the oldest in the United States.

NEW Patterns of Calico rec'd at C. W. TURNER, 81 & 83 Thames-st.

CHEST EXPANDERS.

A CONTRACTED Chest caused by the hub of a stopping, or throwing the shoulder forward, frequently lays the foundation, for serious and even fatal diseases of the lungs and in this climate there is peculiar danger from this cause. How necessary it is then, to guard by artificial means, against such danger. We have now on hand 17 sizes of Chest Expanders for men, women, boys and girls of all ages, so that any one can be fitted without difficulty. Ladies and girls will be fitted at their homes if preferred. For sale and fitted by

HAZARD & CASWELL,
Apothecaries' Hall, Hall of Pharmacy,
12 Washington Square. 137 Thames-st.

New Print just rec'd by LANGLEY & NORMAN.

STATE OF RHODE ISLAND.

IN GENERAL ASSEMBLY, January Session, 1855.

UPON the petition of William G. Borden and others, praying for an act of incorporation to hold real estate, and for other purposes according to the provisions of the act herewith filed.

Voted and Resolved, That said petition and accompanying act be continued till the next session of the General Assembly, and that in the mean time the petitioners give notice of the pending petition by publishing a copy of the act for three weeks next after the rising of the General Assembly at the present session, in one of the newspapers printed in the county of Newport. A true copy, attested.

WM. R. WATSON, Sec'y of State.

TO LEASE.—About eighteen acres of land situated on the Bath road near the beach, being a part of the Gibbs estate; apply to

H. PARKER, Trustee, Boston, or

ALFRED SMITH, Newport.

NEW Bonnets.—Just received and now opening new Bonnets, Ribbons and other Millinery goods of the spring style at

182 THAMES STREET.

IRA FRENCH.

FRESH Fruit.—Oranges, Lemons, Figs, Dates Prunes and a fresh supply of Foreign Nuts, just rec'd by

YOUNG & SMITH, No. 111 Thames-st.

PEANUTS.—50 bush. Prince William Potatoes, for sale in quantities to suit, raw and Parboiled, by

YOUNG & SMITH, 111 Thames-st.

LOST on Tuesday evening, near the door of the First Baptist meeting house, a dark colored Currier Chain Bracelet, fastening with a snap; whoever has found the same will be suitably rewarded by leaving it at this office.

AT AUCTION.

FOR SALE at Auction, on Tuesday, March 21, 1855, at 2 o'clock, the lot of land containing about 6 acres, north of land of Geo. Fish in Portsmouth. This is a fine lot and offers a rare opportunity for any one wishing to build in Portsmouth. NATHAN DENNIS.

NEW GROCERIES.

CHEAP FOR CASH.

Comprising in part of the following:—Flour, Teas, Sugar, Malacca, Meats, Fish, Soap, Oil, Candles, Coffee, Crackers, Raisins, choice Family Liquors, Cheese, Butter, Spices, Dried Apples, &c., &c. The above goods are all fresh and of the first quality, and will be sold as low as can be bought at any place in town.

H. H. YOUNG, Parade corner.

ASSESSMENT.

PROVIDENCE MUTUAL FIRE INSURANCE CO.

The Board of Directors of this company having ordered an assessment of one per cent. on the premium notes, notice is hereby given that it will be received at the office, No. 20 North Main st., every day (Sundays excepted) from Thursday, March 1st, to Friday, March 31st, inclusive.

Office hours from 9 a. m. to 4 p. m.

GEORGE BAKER, Treas.

Providence, Feb. 15, 1855.

Section 19th of the charter provides that all assessments shall be paid to the Treasurer within 30 days from the time that they are made payable; in default of which a sum equal in amount shall be added thereto; and a delay of 60 days more shall forfeit their insurance.

The subscriber being the duly authorized Agent of said company will attend to the collection of the above mentioned assessment at the counting room of F. Lawton & Brothers, from 9 o'clock in the morning till 1 p. m., and from 2 till 6 in the afternoon until the 1st day of April, afterwards a collector will be employed whose fees will be added to the assessment, to save the trouble and expense of which, it is earnestly requested that those interested will call and pay within the prescribed time and bring change with them for all sums under one dollar.

EDWARD W. LAWTON.

PERSIAN Sherbert, a delightful Temperance beverage, put up in half pint bottles, for sale by the dozen or single bottle, by

YOUNG & SMITH, No. 111 Thames-st.

GOLD Spectacles, a first rate assortment constantly on hand and for sale at less than usual prices at the Spectacle Depot, No. 77 Westminster-st., Providence.

GOODHUE & SON, Opticians and Jewellers.

GOLD Thimbles of all sizes, a fine assortment on hand and for sale low, by

GOODHUE & SON, Westminster street, Providence.

CHILDREN'S Ear Rings, a variety of styles opening this day at the Spectacle Depot, No. 77 Westminster-st., Providence.

GOODHUE & SON.

HEAVY plain gold rings of extra quality, just finished and for sale low by

GOODHUE & SON, Opticians and Jewellers, No. 77 Westminster street, Providence.

CAMEO Ear Rings of new patterns, a full supply on hand and for sale low at the Spectacle Depot, No. 77 Westminster-st., Providence.

GOODHUE & SON.

QUILTER and Steel Spectacles of all the New Old bow taken in exchange, glasses changed in old bows at short notice, by

GOODHUE & SON, at the Spectacle Depot, No. 77 Westminster-st., Providence, just below the Arcade.

REDUCTION OF PRICES.

HOLLOWAY'S PILLS AND OINTMENT.

These famous Medicines will in future be sold throughout the United States at the following prices:—Small Pot or Box, 25 cts., instead of 37 1/2 cts. Medium do. 50 cts., do. 87 1/2 cts. Large do. \$1.00, do. \$1.50.

Produce Holloway's Manufactories are at 80 Maiden Lane, New York, and 244 Strand, London.

H A T S.—Gentlemen, if you wish to purchase a fine, glossy, tasty Spring style of Hat at as low prices as at any other store in the city or country on Broadway, just call on T. C. MUMFORD, corner of Thames-st. and Market Square, and you will be paid for your trouble.

P. S.—I have a few of the Corrugated Brims, a very nice Fancy Hat.

FOR SALE, or To Let, in the north part of the city, furnished, a first class House, with every convenience for a summer residence, with about one acre of Land, built of the best material and workmanship, having a fine view of the Ocean and Harbor; more land can be bought if desired at a reasonable price; terms made easy; apply to

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H. Y. CRANSTON & SON,
ATTORNEYS AT LAW,
Henry Y. Cranston, Office 17 Washington Square, opposite the Court House.
William H. Cranston, Office in Daily News Building, No. 143 Thames Street.

WILLIAM H. CRANSTON,
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